



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

0004

Inspection Report

Permit Number:	C0070016
Inspection Type:	COMPLETE
Inspection Date:	Thursday, March 22, 2007
Start Date/Time:	3/22/2007 9:00:00 AM
End Date/Time:	3/22/2007 12:00:00 PM
Last Inspection:	Thursday, February 08, 2007

Inspector: Pete Hess, Environmental Scientist III

Weather: Sunny, 40's F.

InspectionID Report Number: 1245

Accepted by: whedberg
4/4/2007

Representatives Present During the Inspection:

Company	Dan Guy
OGM	Pete Hess Environmental Scientist III

Permittee: **MOUNTAIN COAL CO**

Operator: **MOUNTAIN COAL CO**

Site: **GORDON CREEK 2, 7 & 8 MINES**

Address: **HC 35 BOX 380, HELPER UT 84526**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **RECLAIMED**

Current Acreages

179.27	Total Permitted
34.15	Total Disturbed
34.15	Phase I
	Phase II
0.73	Phase III

Mineral Ownership

- ☒ Federal
☐ State
☐ County
☒ Fee
☐ Other

Types of Operations

- ☒ Underground
☐ Surface
☐ Loadout
☐ Processing
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The Permittee notified the Division on December 28, 2006 that the fourth quarter 2006 water monitoring information (current through November 2006) for the Gordon Creek #2, #7, and #8 Mines permit area had been uploaded to the Division electronic data base. A review of the data base revealed that the only site which flowed during fourth quarter was stream sample point 2-2-W, which is the north fork of Bryner Creek below the permit boundary. All other sites were either reported as no access during the First quarter or no flow during the remaining quarters. The Permittee continues to meet the Special Permit Condition included as Attachment "A" of the current State permit.

There are no pending compliance actions for the Gordon Creek 2/7/8 permit area.

The Division initiated a mid-term review of the current State permit on March 6, 2007 (notification letter to the Permittee).

Inspector's Signature:

Date

Friday, March 23, 2007

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

Permit Number: C0070016
 Inspection Type: COMPLETE
 Inspection Date: Thursday, March 22, 2007

Inspection Continuation Sheet

Page 2 of 4

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The current permit issued by the Division remains in effect until August 27, 2009.

2. Signs and Markers

A new Permittee identification sign has been installed at the down Canyon permit boundary. The address for Mountain Coal Company is shown as 225 N 5th Street, Suite 900, Grand Junction, Colorado, 81501.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The site received a fresh snow accumulation approximately 2 days prior to today's inspection; 1.5 to 2 inches of snow cover the site. The upper cell of the three cell pond was near the discharge elevation; the volume would discharge to the middle cell. The water in the upper cell was very high in suspended solids. Both the middle and lower cells had snow covered bottoms. No compliance or safety issues were noted. Mr. Guy completed the fourth quarter and annual impoundment inspections of the three cell sediment pond and Jacob's pond (stock water pond) on November 7, 2006. P.E. certification of those reports occurred on the same day. Mr. Guy's inspection report noted that the upper cell is in need of having the sediment cleaned. It is the Permittee's intent to either clean this cell (if it is determined that the ponds are to remain post-reclamation) or to totally reclaim the three cell pond. The Permittee has, to date, been unable to contact the surface land owner relative to this issue, i.e., reclamation or retention of the three cell pond.

4.c Hydrologic Balance: Other Sediment Control Measures

The surface roughening which has been implemented at this site for sediment and erosion control was generally not visible due to the snow depth. Observations made during previous inspections indicate that this method of water harvesting and erosion protection is working as anticipated.

4.d Hydrologic Balance: Water Monitoring

As noted above, the submitted fourth quarter water information has been reviewed by this individual; review by the Division assigned hydrologist is pending. Discharge monitoring reports for the months of December 2006 and January 2007 were reviewed for timeliness and parameter exceedances. The reports for outfall 001A (the sediment pond) and SUM A indicate a "No Flow" situation for both monthly monitoring periods. Both had been submitted to the respective government agencies in a timely fashion.

8. Noncoal Waste

Although the site is snow covered, non-coal waste has not been observed to be a problem during previous inspections.

Permit Number: C0070016
Inspection Type: COMPLETE
Inspection Date: Thursday, March 22, 2007

Inspection Continuation Sheet

Page 4 of 4

19. AVS Check

Mr. Guy has received the updated Chapter One ownership and control information which was approved by the Division (Mountain Coal Company is a subsidiary of Canyon Fuel Company) on February 22, 2007. Please refer to the DOGM CTS system, Task ID #2747.

22. Other

The Division approved a Phase I bond release for 34.15 acres of this site on October 6, 2003.